

SECRET/8



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	)	
	)	
Alitalo et al.	)	Title: USE OF VEGF-C OR
	)	VEGF-D GENE OR PROTEIN TO
Serial No: 09/427,657	)	PREVENT RESTENOSIS
	)	
Filed: October 26, 1999	)	

**TRANSMITTAL OF EXECUTED DECLARATION**

***Assistant Commissioner for Patents  
Washington, D.C. 20231***

***Attention: BOX MISSING PART***

Sir:

Submitted herewith are executed Declarations for filing in the above-identified application, in response to a Notice to File Missing Parts issued by the Patent and Trademark Office on December 6, 1999.

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**CERTIFICATE OF MAILING (37 CFR 1.8)**

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on December 20, 1999 in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

  
David A. Gass

Also enclosed is a copy of the Notice together with our check in the amount of \$65.00 in payment of the surcharge for a small entity. Statements that establish small entity status are filed concurrently herewith.

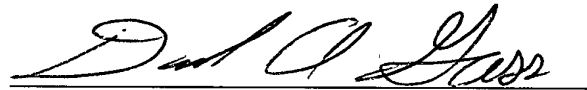
The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,  
MURRAY & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6402  
(312) 474-6300

By:




David A. Gass  
Reg. No: 38,153

December 20, 1999



**PATENT**

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Application of:	)	I hereby certify that this paper is being
	)	deposited with the United States Postal
Alitalo et al.	)	Service as first class mail, postage
	)	prepaid, in an envelope addressed to:
Serial No: 09/427,657	)	Assistant Commissioner for Patents
	)	Washington, D.C. 20231, on this date:
Filed: October 26, 1999	)	
	)	December 20, 1999
For: USE OF VEGF-C OR VEGF-D	)	
GENE OR PROTEIN TO PREVENT	)	
RETENOSIS	)	
	)	David A. Gass
Examiner: TBD	)	
	)	

**REQUEST FOR REFUND (37 C.F.R. 1.28(a))**

Assistant Commissioner for Patents  
Washington, DC 20231

Atten: Refund Section, Accounting Division,  
Office of Finance

Sir:

**I. SUBMISSION OF VERIFIED STATEMENT**

- (a) ☒ Attached are verified statements claiming small entity status in this application on behalf of each inventor and on behalf of two institutions that may have an interest in the application by virtue of their relationship with one or more inventors.
- (b) ☐ A verified statement claiming small entity status was filed in this application on \_\_\_\_\_.

## **II. REFUND REQUEST**

This request for refund is being made within two months of the date a fee was paid in this application on October 26, 1999, in the amount of \$1,408.00. The amount of the refund requested is \$704.00, representing the difference between the fee actually paid and the fee owed by the small entity (for filing fee and excess claims).

## **III. MANNER OF REFUND**

Please refund overpayment to Marshall, O'Toole, Gerstein, Murray & Borun in the form of a check mailed to the address below.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,  
MURRAY & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6402  
(312) 474-6300

By:



David A. Gass  
Reg. No: 38,153

December 20, 1999



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

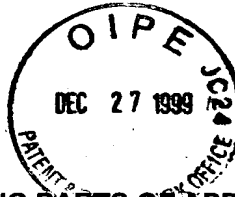
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/427,657	10/26/99	ALITALO	K 28967/35061A

MARSHALL O'TOOLE GERSTEIN  
MURRAY & BORUN  
6300 SEARS TOWER  
233 SOUTH WACKER DRIVE  
CHICAGO IL 60606-6402

0242/1206

NOT ASSIGNED



1633

DATE MAILED:

12/06/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

2/6/00

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity, is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.  
Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. The following additional claims fees are due:  
\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.  
\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$\_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☒ does not cover the newly submitted items.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Service Center  
Examination Division (703) 308-1202